

HOUSE BILL No. 1275

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-5-2-4.

Synopsis: Vanderburgh County small claims court. Increases the maximum jurisdictional limit of the Vanderburgh County small claims court from \$3,000 to \$5,000.

Effective: July 1, 2003.

Weinzapfel

January 13, 2003, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1275

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-5-2-4, AS AMENDED BY P.L.2-2002,
2 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 4. (a) Except as provided in ~~subsection~~
4 **subsections (b) and (c)**, the small claims docket has jurisdiction over
5 the following:

6 (1) Civil actions in which the amount sought or value of the
7 property sought to be recovered is not more than three thousand
8 dollars (\$3,000). The plaintiff in a statement of claim or the
9 defendant in a counterclaim may waive the excess of any claim
10 that exceeds three thousand dollars (\$3,000) in order to bring it
11 within the jurisdiction of the small claims docket.

12 (2) Possessory actions between landlord and tenant in which the
13 rent due at the time the action is filed does not exceed three
14 thousand dollars (\$3,000).

15 (3) Emergency possessory actions between a landlord and tenant
16 under IC 32-31-6.

17 (b) This subsection applies to a county having a population of more



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1 than three hundred thousand (300,000) but less than four hundred
 2 thousand (400,000). The small claims docket has jurisdiction over the
 3 following:

4 (1) Civil actions in which the amount sought or value of the
 5 property sought to be recovered is not more than six thousand
 6 dollars (\$6,000). The plaintiff in a statement of claim or the
 7 defendant in a counterclaim may waive the excess of any claim
 8 that exceeds six thousand dollars (\$6,000) in order to bring it
 9 within the jurisdiction of the small claims docket.

10 (2) Possessory actions between landlord and tenant in which the
 11 rent due at the time the action is filed does not exceed six
 12 thousand dollars (\$6,000).

13 (3) Emergency possessory actions between a landlord and tenant
 14 under IC 32-31-6.

15 **(c) This subsection applies to a county having a population of**
 16 **more than one hundred seventy thousand (170,000) but less than**
 17 **one hundred eighty thousand (180,000). The small claims docket**
 18 **has jurisdiction over the following:**

19 (1) Civil actions in which the amount sought or value of the
 20 property sought to be recovered is not more than five
 21 thousand dollars (\$5,000). The plaintiff in a statement of claim
 22 or the defendant in a counterclaim may waive the excess of
 23 any claim that exceeds five thousand dollars (\$5,000) in order
 24 to bring it within the jurisdiction of the small claims docket.

25 (2) Possessory actions between landlord and tenant in which
 26 the rent due at the time the action is filed does not exceed five
 27 thousand dollars (\$5,000).

28 (3) Emergency possessory actions between a landlord and
 29 tenant under IC 32-31-6.

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